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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

P ANDERS I. BERTELHUD
THEODORE C. GOLDSTEIN

Serial No.: 10/660,353

Filed: SEPTEMBER 11, 2003

Title: PREDICTIVELY PROCESSING
TASKS FOR BUILDING SOFTWARE

Group Art Unit: 2192

Examiner: ERIC B. KISS

Conf. No.: 5128

Atty. Dkt.: 2095.001100/P3126

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

MAIL STOP AF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**CERTIFICATE OF MAILING
37 C.F.R. 1.8**

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date below:

August 26, 2009
Date

[Signature]
Signature

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner mailed, Finally rejecting claims 1-4, 6-13, 15-21, 23-29 and 31-37 Since the Final Office action was mailed on May 26, 2009, the shortened, statutory three-month deadline for filing this Notice of Appeal is August 26, 2009. This Notice of Appeal is being filed on, or before the due date, therefore, it is timely filed.

If an extension of time is required to enable this paper to be timely filed and there is no separate Petition for Extension of Time filed herewith, this paper is to be construed as also constituting a Petition for Extension of Time Under 37 CFR § 1.136(a) for a period sufficient to enable this document to be timely filed.

The Commissioner is authorized to deduct the fee for filing this Notice of Appeal in the amount of (\$540) from Williams, Morgan & Amerson, P.C.'s Deposit

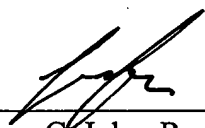
Account No. 50-0786/2095.001100. No other fee(s) is believed to be due. However, in the event that any other fee(s) is due for any reason under 37 C.F.R. §§ 1.16 to 1.21, the Commissioner is authorized to deduct said fee(s) from Williams, Morgan & Amerson, P.C.'s Deposit Account No. 50-0786/2095.001100.

Respectfully submitted,

WILLIAMS, MORGAN & AMERSON, P.C.
CUSTOMER NO. 23720

Date: August 26, 2009

By: _____


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